

REMARKS

Claims 1-5, 7-13, 15-19, 21-25 and 27-36 are pending in this application. By this Amendment, claim 22 is amended for clarity (and for reason unrelated to patentability).

Entry of the amendment is proper under 37 C.F.R. §1.116 because the amendments: (1) place the application in condition for allowance; (2) do not raise any new issues requiring further search and/or consideration; and/or (3) place the application in better form for appeal, should an appeal be necessary. More specifically, the above amendment to claim 22 is merely for clarity. No new issues are raised. Entry is thus proper under 37 C.F.R. §1.116.

The Office Action rejects claims 1, 3, 5, 7-10, 12, 14-15, 17, 19, 21-24, 27-29 and 31-36 under 35 U.S.C. §103(a) over U.S. Patent 6,510,144 to Dommety et al. (hereafter Dommety) in view of U.S. Patent 6,172,986 to Watanuki et al. (hereafter Watanuki). The Office Action also rejects claims 2, 4, 11, 13, 16, 18, 25 and 30 under 35 U.S.C. §103(a) over Dommety in view of Watanuki and U.S. Patent 6,247,058 to Miller et al. (hereafter Miller). The rejections are respectfully traversed with respect to the pending claims.

Independent claim 1 recites a mobile node, a home agent, and a first foreign agent. Independent claim 1 further recites the first foreign agent initially receiving said packets from said home agent and storing them in a buffer and additionally sending said stored packets to a second foreign agent included in a second foreign network if said mobile node is moved to said second foreign network, said first foreign agent being included in said first foreign network. Additionally, independent claim 1 recites that said mobile node sends a notification message to

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said first foreign agent if said mobile node is moved from the first foreign network to said second foreign network.

The Office Action (on page 4) states that Dommety does not specifically show a mobile node sending a notification message to a foreign agent if a mobile node is moved to another foreign agent (emphasis added). Applicant respectfully submits that independent claim 1 specifically recites that "said mobile node sends a notification message to said first foreign agent if said mobile node is moved from the first foreign network to said second foreign network" (emphasis added). Applicant also respectfully submits that independent claim 1 relates to a home network, a first foreign network and a second foreign network.

The Office Action then asserts that Watanuki relates to a mobile node moving from a first IP network to a second IP network (emphasis added). See the Office Action on page 5, lines 11-13. The Office Action cites Watanuki's col. 24, lines 24-40; col. 9, lines 15-40; col. 36, line 65–col. 37, line 12; and col. 41, lines 5-26 for features relating to the movement to another IPv4 network or to an IPv4/v6 network. The Office Action appears to assert that the another IPv4 network and/or the IPv4/v6 network corresponds to a foreign network. However, independent claim 1 is very clear regarding the sending of a notification message to the first foreign agent if the mobile node is moved from the first foreign network to a second foreign network.

Applicant respectfully submits that Watanuki does not teach or suggest the features of independent claim 1 missing from Dommety. Applicant also submits that there is no motivation to make the alleged combination of Dommety and Watanuki. Further, the alleged combination

is improper and would result in destroying an express purpose of Dommetry. Accordingly, the outstanding rejection fails to make a *prima facie* case of obviousness.

The Office Action (on pages 2-3) cites Watanuki's col. 9, lines 15-40 for the missing features. However, the cited section relates to movement of a IPv4/v6 mobile node 106 from a LAN-a 100 to another network (e.g. another IPv4 network or an IPv4/v6 network). See FIG. 1. As discussed in Watanuki, an IPv4 movement notification processing portion 116 (within IPv4/v6 mobile node 106) may notify movement of the node 106 by communicating with the IPv4 mobile agent 105, which is also connected to the LAN-a 100 as shown in FIG. 1. On the other hand, the IPv6 movement registration processing portion 117 and the IPv4-ONLY movement registration processing portion 118 may notify movement of the node 106 by communicating with the IPv6 mobile agent 107, which is also connected to the LAN-a 100 as shown in FIG. 1. Applicant respectfully submits that notification to the IPv4 mobile agent 105 or the IPv6 mobile agent 107 (which are both connected to the same LAN-a 100 as the node 106) does not correspond to a first foreign agent if a node is moved from a first foreign network to a second foreign network (where the first foreign agent is included in the first foreign network).

Applicant respectfully submits that these features do not correspond to the mobile node sending a notification message to a first foreign agent if the mobile node is moved from a first foreign network to a second foreign network (and independent claim 1 clearly relates to a home network, a first foreign network and a second foreign network). MPEP §2141.02 is clear that

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the “claimed invention as a whole must be considered.” In citing Watanuki’s col. 9, lines 15-40 related to FIG. 1, the Office Action has not considered independent claim 1 as a whole (i.e., independent claim 1 relates to a home network, a first foreign network and a second foreign network). Stated differently, the Office Action needs to consider that a mobile node is included in a home network that also includes a home agent as recited in independent claim 1. Taking this into consideration, Watanuki does not suggest that the mobile node sends a notification message to a first foreign agent if the mobile node is moved from a first foreign network to a second foreign network.

Additionally, applicant respectfully submits that there is no motivation to combine Dommetry and Watanuki as alleged. The Office Action (on page 6) states that the motivation to make the combination is so “the location of the mobile node in the network is known as it move(s) from one network to another.” However, MPEP§2143.01 states that the proposed modification cannot render the prior art unsatisfactory for its intended purpose. Dommetry’s movement from a first FA to a second FA is described in col. 7, lines 4-40 (with respect to FIG. 2B). Dommetry’s FIG. 2A, which is cited in the Office Action, does not relate to movement from one foreign network to another foreign network. Dommetry’s col. 7, lines 4-40 clearly relate to retransmission of the data from a server of the original data. See also col. 8, lines 59-62 and col. 11, lines 61-63. There is no suggestion of how Dommetry’s retransmission technique (which is clearly the intended purpose of Dommetry) may be modified by Watanuki’s disclosure (such as col. 9, lines 15-40 and FIG. 1). In other words, the alleged modification of Dommetry’s

FIG. 2B to include Watanuki's notification by use of the movement registration processing portions 116/117/118 to an IPv6 mobile agent (connected to a same LAN-a 100) would destroy the express purpose of Dommetry (i.e., the retransmission technique discussed throughout Dommetry's disclosure). Such a modification also changes the principle of operation of Dommetry, which is contrary to MPEP §2143.01 (last paragraph).

The Office Action (on pages 5-6) also appears to rely on Watanuki's FIG. 18. However, as stated in the response filed October 13, 2006, Watanuki relates to a IPv6 movement registration request message sent to a IPv6 mobile agent. See FIG. 23, step 2366 as well as FIG. 18 showing a mobile agent 1807 (e.g., a home IPv6 Mobile Agent) that receives the IPv6 movement registration request message. This does not correspond to a mobile node sending a notification message to a first foreign agent if the mobile node is moved from the first foreign network to a second foreign network.

Additionally, Watanuki's FIG. 18 shows a home IPv6 mobile agent 1807 and a foreign IPv6 mobile agent 1809. FIG. 18 also relates to a movement from LAN-a 1800 (coupled to home IPv6 mobile agent 1807) to LAN-d 1801 (coupled to foreign IPv6 mobile agent 1809). Clearly this does not correspond to movement from a first foreign network to a second foreign network as recited in independent claim 1.

Additionally, FIG. 32 shows a home IPv4 home agent 32-6 and a foreign IPv4 mobile agent 3208. The Office Action also appears to state that the foreign IPv4 mobile agent may receive a IPv4 movement registration request message. The Office Action cites Watanuki's col.

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36, line 65-col. 37, line 12. However, this does not teach that the mobile node sends a notification message to the first foreign agent if the mobile node is moved from a first foreign network to a second foreign network. Watanuki does not suggest movement from a first foreign network to a second foreign network in combination with the sending of a notification message.

For at least the reasons set forth above, Watanuki does not teach or suggest the features of independent claim 1 missing from Dommety. The Office Action has not provided any reference showing that a mobile node sends a notification message to a first foreign agent if the mobile node is moved from a first foreign network to a second foreign network, as recited in independent claim 1. Further, the proposed combination is improper, and if made, destroys the express purpose and principle of Dommety. The Office Action therefore fails to make a *prima facie* case of obviousness. Accordingly, independent claim 1 defines patentable subject matter.

Independent claim 8 recites sending a notification message from said mobile node to said first foreign agent when said mobile node moves from the first foreign network to a second foreign network having a second foreign agent, and sending said packets stored in said first buffer to said second foreign agent and storing them in a second buffer if said first foreign agent receives said notification message. For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 8. Thus, independent claim 8 defines patentable subject matter.

Independent claim 15 recites sending a notification message from the mobile node to a first foreign agent if said mobile node moves from a first foreign network to a second foreign

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network, and determining if said determined mobile node is moved to the second foreign network having a second foreign agent. Independent claim 15 further recites transmitting said packets stored in said buffer to said second foreign agent if said mobile node is moved to said second foreign network and said notification message has been received by the first foreign agent.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 15. Furthermore, the applied references do not teach or suggest transmitting the packets stored in the buffer to the second foreign agent if the mobile node is moved to the second foreign network and the notification message has been received by the first foreign agent. The Office Action (on page 3) appears to state that Dommetry teaches features relating to checking whether a notification message has been received in the mobile node. However, independent claim 15 relates to transmitting packets in the buffer if the notification message has been received by the first foreign agent. The cited sections of Dommetry do not relate to transmitting of the packets stored in a buffer if the mobile node is moved to a second foreign network and the notification message has been received by the first foreign agent. Watanuki does not teach or suggest these missing features. Accordingly, independent claim 15 defines patentable subject matter.

Independent claim 23 recites sending a notification message from a mobile node to the first foreign agent when the mobile node moves from the first foreign network to a second foreign network, and sending said packets in said first buffer to a second foreign agent associated

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with the second foreign network upon said notification message being received by the first foreign agent. For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 23. Thus, independent claim 23 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 1, 8, 15 and 23 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-5, 7-13, 15-19, 21-25 and 27-36 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

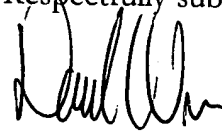
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Docket No. **K-0342**

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,



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